

## IN THE SUPREME COURT OF THE STATE OF MONTANA

DA 16-0118

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IN THE MATTER OF THE ESTATE OF:

DONALD WESLEY JOHNSON,

Deceased.

~~ORDER~~  
**FILED**

DEC 06 2016

*Ed Smith*  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA

Appellant Margaret E. Miller filed a Motion for Reconsideration (rehearing) with this Court on November 7, 2016. The Estate filed its objection to the motion and a request for sanctions.



M. R. App. P. 20 allows parties to file petitions for rehearing and sets forth the criteria under which this Court will consider such a petition. Appellant exercised her right under this Rule. We do not conclude her motion was "frivolous, vexatious, filed for purposes of harassment or delay, or taken without substantial or reasonable grounds." After due consideration,

IT IS HEREBY ORDERED that the Appellant's petition for rehearing is DENIED.

IT IS FURTHER ORDERED that the Estate's request for sanctions is DENIED.

The Clerk of Court is directed to provide a copy of this Order to Margaret E. Miller and to all counsel of record.

DATED this 6<sup>TH</sup> day of December, 2016.

James Joseph Brown

for the for her

John Rice

Justices